IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10889 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

NATVARLAL LALJIBHAI MAVANI

Versus

STATE OF GUJARAT

Appearance:

MR HR PRAJAPATI for Petitioner

MR SAMIR J DAVE APP for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 24/01/2001

ORAL JUDGEMENT

#. One of the contentions raised by the learned counsel for the petitioner in the matter is that the statement of witnesses recorded in C.R. No.5003 of 2000 and 5060 of 2000 were not supplied to the petitioner despite of this

grievance made by him in the representation filed against the detention order.

#. Shri Samir J. Dave, learned APP on instruction from the officer present in the court and verifying from the record of the case fairly conceded the position that the petitioner's thiscomplaint before this court is correct.

As a result of this statement of Shri Samir J. Dave, learned APP, the petitioner cannot be permitted to continue in the detention. The order of detention of the petitioner dated 10.9.2000 is hereby quashed and set aside. The petitioner Natvarlal Laljibhai Mavani, the detenu, at present in Bhuj Jail, Bhuj be set free forthwith, if he is not required in any other case. Rule is made absolute accordingly . As the respondents have fairly conceded their error, mistake etc. committed, no order as to costs.

(S.K.Keshote, J.)
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